

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम,
१९६६ चे कलम-३७(१ए) अन्वये नाशिक
विकास नियंत्रण नियमावलीतील फेरबदलाबाबत-
ची नोटीस.

महाराष्ट्र शासन
नगर विकास विभाग
नोटीस क्रमांक:-टिपीएस-११०५/नाशिक वि.नि.नि/नवि-९
मंत्रालय, मुंबई-४०००३२
दिनांक:- १० मार्च, २००५

निर्णय:- सोबत जोडलेली नोटीस राज्य शासनाच्या असाधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नांवाने,

(सुधाकर नांगुरे)
उपसचिव

प्रति,

विभागीय आयुक्त, नाशिक विभाग, नाशिक.
संचालक नगर रचना, महाराष्ट्र राज्य, पुणे.
आयुक्त, नाशिक महानगरपालिका, नाशिक.
उपसंचालक नगर रचना, नाशिक विभाग, नाशिक.
सहायक संचालक नगर रचना, नाशिक शाखा, नाशिक.
व्यवस्थापक, येरवडा कारागृह मुद्रणालय, पुणे.

(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना महाराष्ट्र शासनाचे असाधारण राजपत्र भाग-१ नाशिक विभाग, पुरवणीमध्ये प्रसिध्द करण्यात येवून त्याच्या २५ प्रती नगर विकास विभाग, मंत्रालय, मुंबई, आयुक्त, नाशिक महानगरपालिका, नाशिक, उपसंचालक नगर रचना, नाशिक विभाग, नाशिक व सहायक संचालक नगर रचना, नाशिक शाखा, नाशिक यांना पाठविण्यात याव्यात.)

✓ कक्ष अधिकारी-(नवि-३) त्यांना विनंती की त्यांनी उक्त अधिसूचना विभागाच्या वेबसाईटवर प्रसिध्द करावी.

निवडनस्ती (नवि-९)

**Maharashtra Regional and
Town Planning Act, 1966.**

**Notice under section 37(1AA)
of ...
Regarding Special Regulations
for Development of Townships
in State (Nashik).**

**GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated 10th March, 2005.**

NOTICE

No. TPS-1105/Nashi DCR/UD-9:

Whereas Development Control Regulations for Nashik Municipal Corporation (hereinafter referred to as "the said Regulations") have been sanctioned by Government in Urban Development Department, under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") vide Notification No. TPS 1101/1359/CR-70/2003/UD-9 dated 28/6/1993.

And whereas, Public Housing has been one of the major concerns of policy planning. It has been realised that there is a need to incentivise investment by private sector in development of housing. With this in mind, Government of India announced its policy to permit 100% direct foreign investment for development of integrated towns. Government of Maharashtra in collaboration with Maharashtra Economic Development Council had organised an International Infrastructure Summit in 2002. A concept paper was presented by the Urban Development, which was widely appreciated. Consultations with planners, architects and developers were held and the Government of Maharashtra finally approved the Special Township Scheme in the year 2004. The idea is to promote private investment in housing sector to facilitate housing at reasonable prices and also to create a hassle free atmosphere for investors. The new policy has to form a part of the existing DCR of Municipal Corporation/Councils and Development Control Regulations for regional plan areas.

Accordingly, Development Control Regulations (DCRs) exclusively for Special Townships, (hereinafter referred to as "the said Regulations") have been prepared and it is proposed to incorporate the said Regulations, in the Development Control Regulations of all the Municipal Corporations, New Town Development Authorities, Special Planning Authorities, Municipal Councils (hereinafter referred to as "the said Authorities") and also in the Development Control Regulations of all the Regional Plans of the State, by taking recourse to procedure laid down in Section 37 and 20 (as the case may be) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as

“the said Act”) thereby modifying the relevant Development Plan/Regional Plan in as much as Regulations thereof are concerned (hereinafter referred to as “the said modification”).

Now therefore, in accordance with the provisions contained in section 37(1AA) of the said Act, Government hereby publishes this notice for inviting suggestions and objections to the said modifications from the public with the reasons thereof within 30(Thirty) days from the date of publication of this notice in Maharashtra Govt. Gazette (details of modification more particularly given in Schedule 'A' appended hereto).

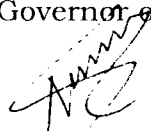
The suggestions and objections shall be forwarded to the Deputy Director of Town Planning, Nashik Division, Nashik, who is being appointed as an 'officer' under section 162 of the said Act.

The said officer shall submit his report to Government after scrutinising the suggestions and objections over the proposed modification, say of the concerned Planning Authority and after granting hearing to the concerned persons including the Nashik Municipal Corporation.

Note:

- 1) A copy of this notice along with the said regulation is being kept open for inspection of general public in the office of the said officer and the Commissioner, Nashik Municipal Corporation, Nashik on all working days during working hours for the period of one month.
- 2) This notification is also available on Governments web site viz. **www.urban.maharashtra.govt.in**

By order and in the name of the Governor of Maharashtra,



(Sudhakar Nangnure)
Deputy Secretary to Government.

SCHEDULE "A"

GENERAL GUIDELINES AND REGULATIONS FOR DEVELOPMENT OF SPECIAL TOWNSHIPS IN MAHARASHTRA

A. GUIDELINES

1. **APPLICABILITY:** *These regulations would be applicable to all the areas of the State which are covered within the planning jurisdiction of the Maharashtra Regional and Town Planning Act, 1966.*
2. **AREA REQUIREMENT:** *Any suitable area can be declared by Government for purpose of development as "special township". The area under the Special Township shall not be less than 100 acres, which shall not include the area under forest, water bodies like river, creek.*
3. **INFRASTRUCTURE FACILITIES:** *The entire township should be an integrated one with all facilities within the boundaries of declared townships. All the on site infrastructure, i.e. roads, water supply, drainage system, power shall be provided by the owner/developer and the developer shall also carry out development of sites reserved in the Development Plan, if any, in accordance with the prevailing regulations. Developer, however, will have the freedom to relocate the reservation in consultation with Planning Authority.*
 - (a) **Water Supply:** *The developer shall be required to develop the source for drinking water such as water reservoir/dam for meeting the daily water requirements of 140 litre per capita per day exclusive of requirement of water for fire fighting, gardening and beautification. and shall have the right to use the stored water for habitable use, for irrigation use and others. The storage capacity of the same shall be atleast 1.5 times of the actual required quantity as determined by expected population (resident and floating) and other uses. If the proposed township falls within the limits of a Municipal Corporation or any other local Authority, in such cases the required water supply may be obtained from the respective Municipal Corporation/Local Authority. The Developer would be required to develop proper internal distribution and maintenance system and should specially undertake rainwater harvesting project within the township.*
 - (b) **Drainage and garbage disposal:** *The Developer shall make suitable and environment friendly arrangement for the disposal and treatment of sewage and solid waste as per requirements of Maharashtra Pollution Control Board. In case if the township falls within the jurisdiction of a Municipal Corporation/Local Authority, in such case the Municipal Corporation/Local Authority shall co-ordinate/synchronize the disposal and treatment of sewage and solid waste with the Developer. Recycling of sewage for gardening will be permissible.*

The developer shall also develop the system of eco-friendly garbage disposal system by adopting the recycling and bio-degradation system.

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The developer shall also develop the system of eco-friendly garbage disposal system by adopting the recycling and bio-degradation system.

(c) Power: The Developer shall ensure continuous and good quality power supply to township area. The public sector enterprises or joint venture promoted by the Developer can establish Independent Power Producers (IPP) which will be permitted to establish dedicated provision of power to the township including generation, transmission and distribution or the developer may draw the power from existing supply system.

4. **ENVIRONMENT:** The township shall provide at least 25% of the total area as park/garden/open spaces with proper landscaping and open users designated in the township shall be duly developed by the owner/developer.

Eco-friendly amenities like Solar water heating/street lighting for the Township shall be encouraged.

5. **SPECIAL CONCESSIONS:**

(a) N.A. Permission: Non-Agricultural permission will be automatic. As soon as the scheme is notified, lands will be deemed to have been converted into non-agricultural and no separate permission is required. Non-agricultural assessment will start from the date of notification.

(b) Stamp Duty: The stamp duty rates applicable in township area shall be 50% of prevailing rates of the Mumbai Stamp Act.

(c) Development charges: A Special Township Project shall be exempted from the payment of development charges to the extent of 50%.

(d) Grant of Government land: Any Government land falling under township area shall be leased out to the developer at the prevailing market rate.

(e) Relaxation from Mumbai Tenancy & Agricultural Land Act: The condition that only the agriculturist will be eligible to buy the agriculture land shall not be applicable in township area.

(f) Ceiling of agricultural land: There shall be no ceiling limit for holding agriculture land to be purchased by the owner/developer for such project.

(g) Exemption from Urban Land (Ceiling and Regulation) Act, 1976: Special Township Projects will be exempted from the purview of Urban Land (Ceiling and Regulation) Act, 1976

(h) Scrutiny fee: A Special Township Project shall be partially exempted from payment of scrutiny fee being levied by the Planning Authority for processing the development proposal.

6. **PLANNING CONSIDERATIONS:**

. The Township project has to be an integrated township project incorporating all the prescribed land users as prescribed under section 22 of the Maharashtra

Regional and Town Planning Act, 1966. The project should necessarily provide land for following users –

- (a) Residential
- (b) Educational
- (c) Amenity spaces
- (d) Health Facilities
- (e) Garden and open spaces
- (f) Basic Amenities
- (g) Public utilities.

7. GENERAL NORMS FOR DIFFERENT LAND USES:

The overall planning of the special townships shall be such that the project fairly meets with the specifications spelt out in the prevailing planning standards approved by Government. Further, the planning of special township shall take care of following land uses in particular.

- (a) Residential:** The residential area should be well defined in clusters or neighborhoods or in plotted development with proper road grid. Out of the total floor area proposed to be utilised at least 60% of the area shall be used for purely residential development and further out of the total floor area proposed to be utilised for residential development, 10% of the same shall be built for residential tenements having built up area upto 40 sqmt.
- (b) Educational:** Comprehensive educational system providing education from primary to secondary should be provided as per the requirement. The area allocation should be on projected population base and the educational complex should not be concentrated at one place. All such complexes should have area adequate allocation for playground.
- (c) Amenity Spaces:** The area allocation for amenity space providing for amenities like market, essential shopping area, recreation centres etc. should not be less than 5% of gross area and should be evenly placed.
- (d) Health facilities:** Adequate area allocation for health facilities for primary health should be provided for.
- (e) Parks, Gardens and Open spaces:** The township shall also provide at least 25% of the total area as parks / garden / open spaces, excluding the forest area, if any, included in the project. This should be exclusive of the statutory open spaces to be kept in smaller layout and should be distributed in all residential clusters.
- (f) Public Utilities:** Appropriate area allocation should be provided for (a) power receiving station/sub-station, (b) water supply system, (c) sewerage and garbage disposal system, (d) police station, (e) public parking, (f) cemetery/cremation grounds, (g) bus station and other public utilities as per requirements.

(g) Transport and Communication: The entire area of township shall be well knitted with proper road pattern, taking into consideration the linkages with existing roads within the township and outside area as well.

(h) Other Industries: In the special township area, lands required for commercial uses, industrial uses, permissible in residential user, may also be earmarked. However, the predominated land use would be residential use.

Notes:

- I. All the amenities referred to above shall be inclusive of Development Plan reservations, if any, located in the Township Area.
- II. Location of Development Plan reservations can be shifted to anywhere in the Township Area in consultation with the Planning Authority.
- III. Development Plan reservations in the Township area, shall not be handed over to the Planning Authority but the same shall be developed by the developer for the designated amenity.

B. REGULATIONS:

1. DEVELOPMENT CONTROL REGULATIONS:

- (i) In Municipal Corporation / Council limit / area under Special Planning Authority, prevailing Development Control Regulations shall be applicable mutadis muntadis except those expressly provided in these Special Regulations.
- (ii) In area outside Municipal Corporation/Council limit, prevailing Development Control Regulations of sanctioned Development Plan of nearest major Corporation/Council shall be applicable mutadis muntadis except those expressly provided in these Special Regulations.
- (iii) The FSI of entire gross area of the township excluding the area under forest, water bodies like river, creek, lake, shall be 1.00. There will be no limit of FSI for the development of individual plots.
- (iv) In the event the special township project containing sites reserved for public purposes (buildable reservation) in Development Plan, for which the Appropriate Authority is any department of State Government/Central Government, or any Government undertaking, the developer shall construct the amenity as per requirement of the concerned department and hand over the constructed amenity free of cost to that Department. Upon such handing over the constructed amenity, the developer would be entitled to utilise additional floor space, over and above the FSI permissible within the township (equivalent to the built up area of the constructed amenity) anywhere within the special township project.

- (v) *If any question or dispute arises with regard to interpretation of any of these regulations, the matter shall be referred to the State Government, which after considering the matter and, if necessary, after giving hearing to the parties, shall give a decision on the interpretation of the provisions of the regulations. The decision of the Government on the interpretation of these Regulations shall be final and binding on all concerned.*

2. SPECIAL TOWNSHIPS IN NO DEVELOPMENT ZONE

- (i) *Development of special townships in area for No Development Zone, earmarked in Development Plan or Regional Plan, can be allowed. However, such development shall be in such a way that the spirit of these zones is not lost and the project does not hamper the environmental considerations. For this purpose, development would be permitted with lower FSI values and further such lands that are required to be kept open from security/safety/hygienic/environment point of view or lands which are not suitable for being developed for special township in view of the scenic beauty and nearness to any historical monument or archeological sites, shall not be permitted for development of Special Township Project.*
- (ii) *Development of Special Township Project in No Development Zone, contained in the Development Plan or Regional Plan shall be permissible subject to conditions that 50% of the gross area of the project shall be kept open while the project of Special Township shall be executed on the remaining 50% land with gross FSI of 0.20 worked out on the entire gross area of the Project. Further, while developing such projects, it would be obligatory on the part of the developer to provide and develop all the infrastructural facilities including sties required for public purposes as per the prescribed planning norms. As regards 50% of land which is required to be kept open, the same shall be made free of encumbrances and developed for any open user in the manner as may be prescribed by the Planning Authority / Collector, as the case may be.*
- (iii) *All provisions of guidelines except 7(e) shall apply to the development of Township in No Development Zone.*

- 3. SALE PERMISSION:** *It would be obligatory on the part of the developer firstly to provide for basic infrastructure and as such no permission for sale of plot/flat shall be allowed unless the basic infrastructure is completed by the developer to the satisfaction of the Planning Authority or the Collector, as the case may be. The plots earmarked for amenities, facilities and utilities shall be also simultaneously developed along with residential/commercial development.*

4. PROCEDURE:

- (A) Locational Clearance:** *The proposal for development of Special Township, shall be submitted to Government in Urban Development Department for grant of locational clearance. Upon receipt of such proposal, depending upon the merits of the case, locational clearance shall be granted by Government in*

consultation with the Director of Town Planning and Environment Department of the State Government. Such clearance shall be granted within a period of 90 days from the date of receipt of such proposal failing which the clearance would be deemed to have been granted.

(B) Letter of intent: Upon receipt of locational clearance from the Government, the developer shall submit the proposal to concerned Commissioner / Chief Officer in respect of Township in Corporation/Council area and concerned Collector for area out of Corporation/Council for issue of letter of intent. The proposal shall contain ownership rights / development rights, document in respect of atleast 50% of area under scheme. Letter of intent shall be issued within a period of 45 days from the date of receipt of the proposal.

(C) (i) Final Approval: The Developer shall submit the layout plan of the entire township area and sector-wise detailed building plans, in phases, for final sanction to (a) concerned Commissioner/Chief Officer in respect of township in Corporation/Council area, (b) concerned Collector, in respect of township proposed out of Corporation/Council area. The Corporation / Council / Collector shall grant approval to layout plan and sector-wise detailed building plans, within the stipulated period. While according sanction to the township proposal in respect of area from Municipal Councils/ rural areas, prior consultation with the concerned Deputy Director of Town Planning shall be necessary.

(ii) Every application shall be accompanied by:

(a) ownership document: 7/12 extract/ Property Card, ownership right document

(b) Extent: Village maps showing the extent of area and authenticated measure-oment plan/gut book of the land.

(d) Layout and building plans: i) Layout plan showing all details of area utilised under roads, open spaces for parks and playground amenities.

ii) Detail building plans of all development

iii) Detail Report comprising of expected population, requirement of amenities and proposed amenities.

